

SENATE BILL 1239

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 68,
relative to fetal death certificates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-3-505, is amended by deleting the first sentence of subsection (a) in its entirety and by substituting instead the following:

A death certificate for each induced termination of pregnancy which occurs in this state shall be filed with the office of vital records within ten (10) days after the procedure by the person in charge of the institution in which the induced termination of pregnancy was performed.

SECTION 2. Tennessee Code Annotated, Section 68-3-505, is further amended in subsection (a) by deleting in the second sentence the word "report" and by substituting instead the language "death certificate".

SECTION 3. Tennessee Code Annotated, Section 68-3-505, is amended by adding the following new subsections thereto:

(c) The death certificate for each induced termination of pregnancy shall state that the fetal death was due to an abortion performed pursuant to title 39, chapter 15, part 2, and shall be signed by the person in charge of the institution in which the induced termination of pregnancy was performed. If the induced termination of pregnancy was performed outside an institution, the attending physician shall sign the death certificate.

(d) Personal information on a death certificate for each induced termination of pregnancy shall not be disclosed to any person by the department, its officers, employees or contractors. The use of the personal information shall be strictly limited to research activities, and for use in producing statistical reports, so long as the personal

information is not published, redisclosed, or used to contact individuals; provided, personal information may be disclosed to any person who demonstrates, in such form and manner as the department prescribes, that such person has obtained the written consent of the person who is the subject of the information. For the purposes of this subsection (d), personal information includes an individual's photograph or computerized image, social security number, driver identification number, name, address, telephone number, and medical or disability information.

SECTION 4. This act shall take effect July 1, 2009, the public welfare requiring it.